

Niger

Incidence and Nature of Child Labor

An estimated 66.2 percent of children ages 5 to 14 years were counted as working in Niger in 2000. Approximately 71.8 percent of all boys 5 to 14 were working compared to 60.6 percent of girls in the same age group.³⁴¹² Children work primarily in the urban informal and agricultural sectors.³⁴¹³ Children in rural areas mainly work on family farms gathering water or firewood, pounding grain, tending animals, or working in the fields.³⁴¹⁴ Children as young as 6 years old are reported to work on grain farms in the southwest.³⁴¹⁵ Children also shine shoes; guard cars; work as apprentices for artisans, tailors, and mechanics; perform domestic work; and work as porters and street beggars.³⁴¹⁶ Children work in hazardous conditions in small trona,³⁴¹⁷ salt, gypsum, and gold mines and quarries as well as in slaughterhouses. In 2000, the ILO estimated that 57 percent of the workers in small quarries in Niger were children. Some 250,000 children were estimated to be working in this sector.³⁴¹⁸ Child labor is one of many problems associated with poverty. In 1995, the most recent year for which data are available, 60.6 percent of the population in Niger were living on less than USD 1 a day.³⁴¹⁹

Children also are exploited in prostitution and drug trafficking. In the shantytowns that spring up around mines, there are reports that girls as young as 10 are vulnerable to exploitation in prostitution and that both boys and girls are exploited in drug trafficking.³⁴²⁰

Traditional forms of caste-based servitude still exist in isolated parts of Niger,³⁴²¹ although estimates on the exact number of Nigeriens involved vary. In addition to being subjected to social discrimination, many are forced into labor of various forms.³⁴²² Children's' caste standing often determines the sort of work in

³⁴¹² UCW analysis of ILO SIMPOC, UNICEF MICS, and Work Bank surveys, *Child Economic Activity and School Attendance Rates*, October 7, 2005. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms, such as the use of children in the illegal drug trade, prostitution, pornography, and trafficking. As a result, statistics and information on children's work in general are reported in this section. Such statistics and information may or may not include the worst forms of child labor. For more information on the definition of working children and other indicators used in this report, please see the "Data Sources and Definitions" section.

³⁴¹³ International Confederation of Free Trade Unions (ICFTU), *Internationally Recognised Core Labour Standards in Niger and Senegal*, ICFTU, Geneva, September 24, 2003; available from <http://www.icftu.org/www/pdf/nigersenegalclsreport.pdf>.

³⁴¹⁴ U.S. Department of State, *Country Reports on Human Rights Practices- 2004: Niger*, Washington, D.C., February 28, 2005, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2004/41619.htm>.

³⁴¹⁵ Integrated Regional Information Networks, "Niger: Child Labour Project Launched", IRINnews.org, [online], September 13, 2001 [cited May 27, 2004]; available from <http://www.irinnews.org/print.asp?ReportID=11374>.

³⁴¹⁶ UN Committee on the Rights of the Child, *Examen des Rapports Présentés par les États Parties en Application de l'Article 44 de la Convention, Rapports initiaux devant être soumis en 1992, Niger*, CRC/C/3/Add.29/Rev. 1, Geneva, October 17 2001, para. 381. See also U.S. Department of State, *Country Reports- 2003; Niger*, Section 6d.

³⁴¹⁷ Trona is a mineral used as a source of sodium compounds.

³⁴¹⁸ Soumaila Alfa, *Child Labour in Small-Scale Mines in Niger*, Sector Publication, ILO, Geneva, September 28, 2000; available from <http://www.ilo.org/public/english/dialogue/sector/papers/childmin/137e1.htm#Niger>. See also U.S. Embassy- Niamey, *reporting*, August 15, 2003.

³⁴¹⁹ World Bank, *World Development Indicators 2005* [CD-ROM], Washington, DC, 2005.

³⁴²⁰ Alfa, *Child Labour in Small-Scale Mines in Niger*. See also U.S. Embassy- Niamey, *unclassified telegram no. 1166*.

³⁴²¹ U.S. Department of State, *Country Reports- 2004: Niger*, Section 6c.

³⁴²² U.S. Embassy – Niamey Official, email correspondence to USDOL Official, July 31, 2006.

which they engage. Depending on the region, slave-caste children's work is likely to be agricultural or domestic in nature, while other children are involved in cattle rearing, leather, wood, or iron-working.³⁴²³

Niger serves as a source, transit, and destination country for children trafficked for domestic service and commercial labor, including commercial sexual exploitation.³⁴²⁴ Some Koranic teachers indenture young boys for manual labor and to send them to beg in the streets.³⁴²⁵

Primary education is free and compulsory for six years.³⁴²⁶ In 2002, the gross primary enrollment rate was 44 percent and the net primary enrollment rate was 38 percent.³⁴²⁷ Gross and net enrollment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance. In 2000, 31.1 percent of children ages 5 to 14 years were attending school.³⁴²⁸ As of 2001, 69 percent of children who started primary school were likely to reach grade five.³⁴²⁹ Among the challenges faced by the Nigerien education system are outdated primary teaching methodologies, pre-school education that is restricted primarily to urban areas, negative parental attitudes towards Nigerien education, inadequate infrastructure, and lack of supplies.³⁴³⁰ Children are often made to work rather than attend school, particularly during planting or harvesting periods. In addition, nomadic children in northern parts of the country often do not have the opportunity to attend school.³⁴³¹ Slave caste children's enrollment in school is decided by their masters. In some cases, slave caste children are allowed to attend school, but their masters can withdraw them at will for work or to give away or sell.³⁴³² As with other nomadic children, however, the primary constraint facing slave caste children is lack of access to schools.³⁴³³

Education initiatives were temporarily threatened by the food security emergency that forced families to migrate in search of pasture and food in 2004 and 2005.³⁴³⁴

³⁴²³ U.S. Embassy – Niamey Official, email correspondence to USDOL Official, July 31, 2006. See also U.S. Department of State, *Country Reports- 2004: Niger*, Section 6c. See also Moustapha Kadi Oumani: *Un Tabou Brise, L'Esclavage En Afrique, Cas du Niger*, L'Harmattan, Paris, 2005. See also Galy Kadir Abdelkader, ed., *Slavery in Niger: Historical, Legal, and Contemporary Perspectives*, Slavery International and Association Timidira, March 2004, 2004. See also The Economist, "Still With Us," *The Economist*, March 9, 2005; available from

http://www.economist.com/displayStory.cfm?Story_id=S%27%29%280%2FQ%21%3F%26%20%40%224%0A&tranMode=none.

³⁴²⁴ U.S. Department of State, *Trafficking in Persons Report- 2004: Niger*, Washington, D.C., June 11, 2004. See also U.S. Department of State, *Country Reports- 2004: Niger*, Section 5.

³⁴²⁵ U.S. Department of State, *Trafficking in Persons Report- 2005: Niger*, Washington, D.C., June 3, 2005; available from <http://www.state.gov/g/tip/rls/tiprpt/2005/46614.htm>. See also U.S. Department of State, *Country Reports- 2004: Niger*, Section 6d.

³⁴²⁶ U.S. Department of State, *Country Reports- 2004: Niger*, Section 5. See also U.S. Embassy- Niamey official, email communication to USDOL official, October 4, 2005.

³⁴²⁷ UNESCO Institute for Statistics, <http://stats.uis.unesco.org/TableViewer/tableView.aspx?ReportId=51> (Gross and Net Enrollment Ratios, Primary; accessed December 2005).

³⁴²⁸ UCW analysis of ILO SIMPOC, UNICEF MICS, and Work Bank surveys, *Child Economic Activity and School Attendance Rates*. A large number of children, particularly in rural areas, are not registered at birth. See UN Committee on the Rights of the Child, *Concluding Observations of the Committee on the Rights of the Child: Niger*, Geneva, June 13 2002.

³⁴²⁹ UNESCO Institute for Statistics, <http://stats.uis.unesco.org/TableViewer/tableView.aspx?ReportId=55> (School life expectancy, % of repeaters, survival rates; accessed December 2005).

³⁴³⁰ UN Committee on the Rights of the Child, *Rapports initiaux*, para. 302, 303, 305, 306. See also Abdelkader, *Slavery in Niger*.

³⁴³¹ U.S. Embassy- Niamey, *reporting*, July 2000.

³⁴³² Masters often give slave caste children away when their own daughter marries and receive, as part of her trousseau, a slave caste boy or girl to take to her new home. See Abdelkader, *Slavery in Niger*. See also Integrated Regional Information Networks, "Niger: The Government Says Slavery No Longer Exists, the Slaves Disagree", June 24 2005; available from http://www.irinnews.org/report.asp?ReportID=47813&SelectRegion=West_Africa&SelectCountry=NIGER.

³⁴³³ U.S. Embassy- Niamey Official, email communication to USDOL Official, July 31, 2006.

³⁴³⁴ *Combating Exploitive Child Labor through Education in Niger*, Catholic Relief Services, Niamey, March 28 2005. The food crisis had been corrected by October 2005 as harvests were coming in. See U.S. Embassy- Niamey official, email communication, October 4, 2005.

Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment at 14 years, although children between 12 and 14 years of age may work with special authorization. Children 14 to 18 years old may not work for more than 4.5 hours per day nor in industrial jobs.³⁴³⁵ The law also requires that employers guarantee minimum sanitary working conditions for children.³⁴³⁶ The Labor Code prohibits forced and bonded labor, except for work by legally-convicted prisoners.³⁴³⁷

The worst forms of child labor may be prosecuted under different statutes in Niger. Niger's 2003 Anti-Slavery Law outlaws all forms of slavery and provides for a prison sentence of 10 to 30 years and a fine for violations.³⁴³⁸ The minimum age for conscription into the military is 18 years old.³⁴³⁹ The Penal Code criminalizes the procurement of a minor for the purpose of prostitution.³⁴⁴⁰ Since 1999, the Government of Niger has submitted to the ILO a list or an equivalent document identifying the types of work that it has determined are harmful to the health, safety or morals of children under Convention 182 or Convention 138.³⁴⁴¹

The Ministry of Labor is charged with enforcing labor laws, but has very limited resources with which to do so.³⁴⁴² The Ministry of Labor has approximately 30 inspectors deployed nation-wide. They are responsible for investigating cases of child labor, but are also responsible for enforcing all other elements of the labor code as well. As part of a recent project to aid the Government of Niger's fight against child labor, the ILO trained 50 Ministry of Labor inspectors. Each inspector is responsible for the design and implementation of a project on child labor.³⁴⁴³

Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Ministry of Labor continued its work with ILO-IPEC and UNICEF on a child labor program to determine the extent of the problem in the four areas of gold mines, slaughterhouses, street children, and agriculture on the Niger River.³⁴⁴⁴ As a result the Ministry of Mines is cooperating in a regional ILO-IPEC project to remove children from the artisanal gold mining in two sites in Niger.³⁴⁴⁵ In 2003, the ILO – Government of Niger cooperative project was successful in eliminating child labor from the Niamey

³⁴³⁵ U.S. Embassy- Niamey, *reporting*, February 1998.

³⁴³⁶ U.S. Department of State, *Country Reports- 2004: Niger*, Section 6d.

³⁴³⁷ Despite these legal proscriptions, a traditional caste system is practiced by some ethnic minorities, which promotes slave-like relationships between the upper and lower castes. See International Confederation of Free Trade Unions (ICFTU), *Core Labour Standards in Niger and Senegal*, 8-9. Forced child labor does occur. See also U.S. Department of State, *Country Reports- 2004: Niger*, Section 6d.

³⁴³⁸ *Du crime d'esclavage*, Special No 4, (April 7, 2004).

³⁴³⁹ US Embassy Niamey, email communication, October 4, 2005.

³⁴⁴⁰ The penalty for procuring a minor is two to five years of imprisonment and a fine of 50,000 to 5,000,000 francs (USD 91.05 to 9,105.03). See Government of Niger, *Criminal Code: Chapter VIII- Offenses Against Public Morals*, as cited in The Protection Project Legal Library, [database online], Articles 291 and 292; available from <http://209.190.246.239/protectionproject/statutesPDF/NigerF.pdf>. *Universal Currency Converter*, in XE.com, [online] [cited October 4, 2005]; available from <http://www.xe.com/ucc/convert.cgi>.

³⁴⁴¹ ILO-IPEC official, email communication to USDOL official, November 14, 2005.

³⁴⁴² As of August 2003, there were only 8 labor inspectors in the country, one for each region. U.S. Embassy- Niamey, *reporting*.

³⁴⁴³ U.S. Embassy Niamey, *reporting*.

³⁴⁴⁴ U.S. Department of State, *Country Reports- 2004: Niger*, Section 6d.

³⁴⁴⁵ ILO-IPEC, *Prevention and Elimination of Child Labour in Mining in West Africa Project Document*, Geneva, September 20, 2005 2005.

slaughterhouse. The project withdrew children from the labor force and reinserted them into schools and vocational training programs.³⁴⁴⁶ A child labor network headed by UNICEF and the Ministry of Labor and Social Protection has been organized and will meet on a quarterly basis.³⁴⁴⁷ The Government of Niger is also participating in a 4-year USD 2 million USDOL Education Initiative project designed to combat child labor through education.³⁴⁴⁸ The program has already provided direct benefits to child laborers and at-risk children, while providing indirect benefits to others who attend the program's schools. The Government of Niger's Ministry of Basic Education has assisted the project by providing teachers and working with the implementing partners on teacher training and curricula reform. Slave-caste children have been included in the community schools in their regions, and parents of at-risk children have benefited from connected income generating activities. The government has also taken steps on anti-trafficking measures including training on trafficking victim identification and public education sessions, and has signed a Multilateral Agreement on Child Trafficking.³⁴⁴⁹ In March 2005, the government began to educate communities on the new Anti-Slavery Law, including the rights of victims.³⁴⁵⁰

Selected Child Labor Measures Adopted by Governments		
Ratified Convention 138	12/4/1978	✓
Ratified Convention 182	10/23/2000	✓
ILO-IPEC Member		✓
National Plan for Children		
National Child Labor Action Plan		
Sector Action Plan		

Education is a cornerstone of the country's Poverty Reduction Strategy Paper under the IMF's Enhanced Highly Indebted Poor Countries Initiative.³⁴⁵¹ The goals of this initiative include increasing primary school enrollment and completion rates, especially among girls, as well as enrollment in rural secondary schools.³⁴⁵² UNICEF is also supporting government education efforts to improve primary education through programs like the African Girls' Education Initiative, as well as general improvements to educational infrastructure and curricula.³⁴⁵³ WFP is also active in Niger, implementing activities to increase enrollment and attendance in primary schools through a school feeding program.³⁴⁵⁴

³⁴⁴⁶ U.S. Embassy Niamey, *reporting*.

³⁴⁴⁷ *Combating Exploitive Child Labor through Education in Niger*, 2.

³⁴⁴⁸ *Ibid.*

³⁴⁴⁹ U.S. Embassy- Niamey, *reporting*, November 2005.

³⁴⁵⁰ U.S. Department of State, *Trafficking in Persons Report- 2004: Niger*.

³⁴⁵¹ Republic of Niger, *Full Poverty Reduction Strategy*, Niamey, January 2002, 62. See also U.S. Embassy- Niamey, *reporting*, October 2001.

³⁴⁵² Republic of Niger, *Poverty Reduction Strategy*, 62.

³⁴⁵³ UNICEF, *UNICEF- At a Glance: Niger- The Big Picture*, [online] [cited May 27, 2004]; available from <http://www.unicef.org/infobycountry/niger.html>.

³⁴⁵⁴ WFP, *World Hunger - Niger*, [online] [cited June 17, 2004]; available from http://www.wfp.org/country_brief/indexcountry.asp?country=562.